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August 20, 2020

Hon. Katherine Polk Failla  
United States District Court, Southern District of New York  
40 Foley Square  
New York, NY 10007

**Re: *Uniformed Fire Officers Assoc. v. Bill de Blasio*, No. 20-cv-05441 (KPF) (RWL)**

Dear Judge Failla:

On behalf of Plaintiffs (the “Unions”), we write to advise the Court of a new development concerning the Request for Arbitration by the Police Benevolent Association (“PBA”) discussed in the hearing on the Union’s motion for a preliminary injunction. On August 18, the City of New York and New York Police Department filed a “Petition Challenging Arbitrability” (the “Petition,” Ex. A below) with the NYC Board of Collective Bargaining (the “Board”). The Petition seeks an Order from the Board dismissing the PBA’s Request for Arbitration because the issues it raises are not arbitrable, a disputed matter that will be resolved in the ongoing arbitral process.

The Petition further supports the need for a preliminary injunction to prevent interference with the PBA Collective Bargaining Agreement and grievance process. If this Court allows immediate release of complaint records, it would moot in significant part PBA’s Request for Arbitration and the City’s Petition.

Very truly yours,

A handwritten signature in black ink that reads 'Tony Coles'.

Anthony Paul Coles

cc: All Counsel of Record (*via* ECF)  
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